

REMARKS

This paper is being provided in response to the Office Action mailed November 18, 2004, for the above-referenced application. In this response, Applicants have cancelled claims 1 and 8-11 without prejudice or disclaimer of the subject matter thereof, have amended claims 4 and 5 and have added new claims 16-21 to clarify that which Applicants consider to be the invention. Applicants respectfully submit that the amendments to the claims and the new claims are fully supported by the originally-filed specification.

Applicants thank the Examiner for allowing claims 12-15 and for the indication of allowable subject matter in claim 4. Applicants have rewritten claim 4 into independent form to incorporate the features of the base claim and any intervening claims. Accordingly, Applicants respectfully submit that this claim is in condition for allowance.

The rejection of claims 1 and 8 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,875,167 to Katayama (hereinafter "Katayama") is hereby traversed and reconsideration is respectfully requested. This rejection has been rendered moot by the cancellation of claims 1 and 8 herein.

The rejection of claims 5-7 under 35 U.S.C. 103(a) as being unpatentable over Katayama in view of U.S. Patent No. 5,687,155 to Fukakusa et al. (hereinafter "Fukakusa") is hereby traversed and reconsideration is respectfully requested in view of the amendments to the claims contained herein. Claims 5-7 have been amended to depend from claim 4, which has been indicated as containing allowable subject matter and has been rewritten into independent form.

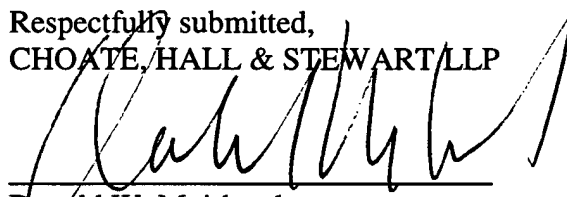
Applicants respectfully submit that claims 5-7, being dependent from claim 4, are thus in condition for allowance.

The rejection of claims 9-11 under 35 U.S.C. 103(a) as being unpatentable over Katayama in view of U.S. Patent No. 5,956,302 to Maeda et al. (hereinafter "Maeda") and further in view of Fukakusa is hereby traversed and reconsideration is respectfully requested. This rejection has been rendered moot by the cancellation of claims 9-11 herein.

Further, Applicants have added new independent claim 16 and dependent claims 17-21. Independent claim 16 recites at least the features of an optical head including a light source, a hologram element, and an optical detector, wherein said hologram element includes at least first and second diffraction gratings divided by at least one division line, said gratings having different grating patterns and at least one of said grating patterns being non-linear and having an offset center with respect to another of said grating patterns, and wherein said first diffraction grating is disposed on a surface of said element and said second diffraction grating is disposed on an opposite surface thereof. Applicants respectfully submit that neither Katayama, Fukakusa, nor Maeda, nor any other of the prior art of record, taken alone or in any combination, teaches or fairly suggests at least the above-noted features.

Based on the above, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4038.

Respectfully submitted,
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